

LEWIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

STAFF REPORT

To: Lewis County Planning Commission

From: Phil Rupp

Date: April 6, 2010

Subject: Rezone requests review summary and schedule

ISSUE:

Consideration of property owner rezone requests that have been pending the lifting of the State imposed Invalidity Order and the County moratorium.

BACKGROUND:

After the Comprehensive Plan adoption in 2000, on a yearly basis, the County accepts applications from property owners requesting to rezone their property. These rezone requests are primarily because property owners disagree with the current zoning designation for a variety of reasons.

Shortly after the Comp Plan adoption, citizens filed appeals to the Western Washington Growth Management Hearings Board (Hearings Board). The Hearings Board found the County's Comp Plan noncompliant and in 2004, issued an Invalidity Order. The County adopted a moratorium on areas under invalidity and within the universe of potential resource lands while conducting its compliance work.

The noncompliance findings and Invalidity Order added such complexity and uncertainty for the County to consider these rezone applications that most were tabled until after the Invalidity Order and Moratorium were lifted.

It is now time to conduct a review and make recommendation on those rezone requests that have been pending.

DISCUSSION:

Because of the age of the applications, a process was developed and followed to determine which of the original applications remained "active" in that, (1) the property was still owned by those who signed the application, and (2) the applicant still wanted the application considered. Those applications determined to be active were mapped and grouped according to their geographic distribution. The groupings are identified in Attachment 1.

To assess the appropriateness of the requested change, the active applications were evaluated according to:

- Lewis County Comprehensive Plan policies in the Land Use Element sections titled, Density criteria for a variety of densities in rural areas, pages LU4-47 and LU4-48 (Attachment 2).
- The factors listed in WAC 365-195-330 that guide the designation of lands not designated for urban growth, agriculture, forest, or mineral resources (Attachment 3).
- The factors listed in WAC 365-190-050 that guide rezoning properties currently designated Agricultural Resource (Attachment 3).
- Lewis County Code.

Review consists of field visits, the use of relevant GIS and Assessor's data in conjunction with the above mentioned documents.

Staff proposes to conduct its review of each application grouping and to bring each group through work sessions with the Planning Commission following (to the extent possible) the schedule below. The purpose of the work sessions is to become familiar with the requests, hear staff's analyses, and ask for further clarification or offer guidance based on Commissioners' local knowledge.

Because of the number of properties requesting a new zoning designation and the requirement to consider cumulative impacts of recommending any, staff will make all recommendations at a final workshop in September.

May 11, 2010 – 12 applications West of I-5, North of SR6

May 25, 2010 – 11 applications West of I-5, South of SR6, North of King Rd

June 10, 2010 – 10 applications West of I-5, South of King Rd

June 27, 2010 – 7 applications East of I-5, North of 508

July 23, 2010 – 14 applications East of I-5, North of Hwy. 12, South of 508

July 27, 2010 – 17 applications East of I-5, North of the Cowlitz River, South of Hwy 12

August 10, 2010 – Carryover July 27 applications

August 24, 2010 – 8 applications East of I-5, South of Cowlitz River

September 14, 2010 – Recommendations

Rezoning are part of the overall annual Comprehensive Plan Amendment package. A public hearing will be scheduled for the Planning Commission to take public testimony on the rezoning requests to make a recommendation to the Board of County Commissioners for further action.

RECOMMENDATION:

The Planning Commission begin its systematic review of the rezoning groupings following the process and schedule herein.

ATTACHMENTS:

1. Grouping of Applications
2. Density criteria for a variety of densities in rural areas (pages LU4-47 and LU4-48 from Lewis County Comprehensive Plan)
3. WAC 365-195-330 Rural Element and WAC 365-190-050